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August 31, 2007

BY ECF AND FEDEX OVERNIGHT

Hon. Charles L. Brieant
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

**Re: Hernandez, et al., v. C&S Wholesale Grocers, Inc., et al.
06 CV 2675 (CLB)**

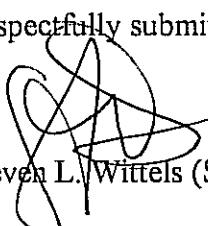
Dear Judge Brieant:

We represent Plaintiffs in the above-captioned matter. Please find enclosed for filing Plaintiffs': (1) Notice of Motion; (2) Memorandum of Law in Support of Their Motion to Stay Duplicative Counts In A Second-Filed FLSA Collective Action And State Wage And Hour Class Action Under The First-To-File Rule; (3) Affidavit of Steven L. Wittels; and (4) accompanying Exhibits.

Pursuant to my conversation with Courtroom Deputy Alice Cama, the Motion is returnable on September 28, 2007 at 10 a.m.

Thank you in advance for the Court's consideration.

Respectfully submitted,


Steven L. Wittels (SLW-8110)

cc: Glenn Smith (LITTLER MENDELOHN), Attorneys for Defendants (by ECF)
Katalin A. Demitrus (MADSEN, PRESTLEY & PARENTEAU, LLC),
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Scott W. Day (DUNN & PHILLIPS, P.C.), Attorneys for Mahaney Plaintiffs (by FedEx)